## **ORIGINAL**



1 BEFORE THE ARIZONA CORPORATION COMMISSION 2 COMMISSIONERS JEFF HATCH-MILLER, Chairman

WILLIAM A NATIONAL CHAIRMAN 3 WILLIAM A. MUNDELL AZ CORP COMMISSION 4 MARC SPITZER DOCUMENT CONTROL MIKE GLEASON 5 KRISTIN K. MAYES 6 IN THE MATTER OF THE APPLICATION OF DOCKET NO. E-01345A-03-0437 ARIZONA PUBLIC SERVICE COMPANY FOR A HEARING TO DETERMINE THE FAIR VALUE OF THE UTILITY PROPERTY OF THE COMPANY FOR RATEMAKING PURPOSES, TO FIX A JUST AND REASONABLE RATE OF RETURN THEREON, TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH 10 RETURN, AND FOR APPROVAL OF PURCHASED POWER CONTRACT. 11 IN THE MATTER OF THE APPLICATION OF DOCKET NO. E-01345A-05-0526 12 ARIZONA PUBLIC SERVICE COMPANY FOR APPROVAL OF A POWER SUPPLY ADJUSTOR 13 SURCHARGE. PROCEDURAL ORDER 14 BY THE COMMISSION: 15 On June 27, 2003, the Arizona Public Service Company ("APS") filed with the Arizona 16 Corporation Commission ("Commission"), an application for a rate increase and for approval of 17 purchased power contract. In Decision No. 67744 (April 7, 2005), the Commission approved, with 18 modifications, the Power Supply Adjustor ("PSA") contained in the Settlement Agreement and 19 ordered the parties to "submit a PSA Plan of Administration that reflects the determinations in this 20 Decision for Commission approval within 60 days of the effective date of this Decision." On June 6. 2005, the Commission's Utilities Division ("Staff") filed a Notice of Filing Plan of Administration. 21 22 On July 22, 2005, APS filed with the Commission an application for approval of a PSA 23 surcharge. 24 On October 12, 2005, AzAg Group ("AZAG") filed an Application to Intervene. 25 On October 18, 2005, Arizona Competitive Power Allliance ("Alliance") filed an Application 26 for Leave to Intervene. 27 28 <sup>1</sup> Decision No. 67744 at p. 42.

1 There was no opposition to AZAG and Alliance's Applications, and intervention was granted 2 from the bench. 3 IT IS THEREFORE ORDERED that the requests to intervene by AZAG and Alliance are hereby granted. 4 5 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing. 6 Dated this day of October, 2005 7 8 9 10 MINISTRATIVE LAW JUDGE 11 Copies of the foregoing mailed/delivered 12 day of October, 2005 to: 13 DONNA M. BRONSKI THOMAS L. MUMAW 14 KARILEE S. RAMALEY DEPUTY CITY ATTORNEY PINNACLE WEST CITY OF SCOTTSDALE CAPITAL CORPORATION 3939 DRINKWATER BLVD. P.O. BOX 53999, MS 8695 SCOTTSDALE, AZ 85251 16 PHOENIX, ARIZONA 85072-3999 WALTER W. MEEK 17 KIMBERLY GROUSE AUIA SNELL & WILMER 2100 N. CENTRAL AVE., SUITE 210 18 ONE ARIZONA CENTER PHOENIX, ARIZONA 85067 400 E. VAN BUREN STREET 19 PHOENIX, ARIZONA 85004-2202 C. WEBB CROCKETT ATTORNEYS FOR ARIZONA PUBLIC SERVICE FENNEMORE CRAIG 20 **COMPANY** 3003 N. CENTRAL AVENUE, SUITE 2600 PHOENIX, ARIZONA 85012 21 MICHAEL PATTEN ATTORNEYS FOR AECC AND PHELPS DODGE LAURA SCHOELER 22 ROSHKA, DEWULF & PATTEN MAJOR ALLEN G. ERICKSON 400 E. VAN BUREN, SUITE 800 AFCES A/ULT 23 PHOENIX, ARIZONA 85004 139 BARNES DRIVE, SUITE 1 **ATTORNEYS** FOR UNISOURCE TYNDALL AFB, FLORIDA 32403-5319 **ENERGY** 24 **SERVICES** ATTORNEY FOR FEA 25 RAYMOND S. HEYMAN MICHAEL L. KURTZ SENIOR VICE PRESIDENT AND **BOEHM, KURTZ & LOWRY** 26 COUNSEL 36 E. SEVENTH STREET, SUITE 2110 UNISOURCE ENERGY CORPORATION CINCINNATI, OHIO 45202 27 ONE SOUTH CHURCH, STE. 1820 ATTORNEYS FOR KROGER COMPANY TUCSON, AZ 85701

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